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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,277	09/30/2003	Woo-Hyong Lee	8947-000065/US	3110
7590 09/06/2006				
HARNESS, DICKEY & PIERCE, P.L.C.				
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Reston, VA 20195				
		EXAMINER		
		BATAILLE, PIERRE MICHE		
		ART UNIT		PAPER NUMBER
		2186		

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/674,277	LEE, WOO-HYONG	
	Examiner	Art Unit	
	Pierre-Michel Bataille	2186	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-14 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/21/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The instant Office Action is taken in response to applicant amendment filed July 10, 2006 responding to Non-Final Rejection dated March 10, 2006. Applicant's amendment and/or arguments have been considered with the results that follow.

Response to Arguments

2. Applicant's arguments filed July 10, 2006 with respect to claims 1-2 have been fully considered but they are not deemed to be persuasive for at least the following remarks.

Applicant contended that there is no mention in AAPA of the any word that begins with "sequen". Applicant is right since there is none. However, the claims calling for "allocating objects to memory block in sequence of continuity" does not necessarily require a particular "physical" order. Considering the broadness of the claims, the requirement could imply logical as well as physical. AAPA (specification page 2 & drawing Fig. 2) features link-list generation with logically implies "sequence continuity" or a prearranged series or sequence, one object related to another by linkage, or a sequence of coordinated element. The objects of claims 1 are not allocated in a physical order as Applicant argued.

In view of the remark noted above, the distinction has not been established and the rejection with respect AAPA is maintained and repeated below.

Again, with respect to rejection of claims 1-2, the claims do not required, as argued by application, allocation in a physical sequential order. Burch discloses the use of a linker that combine files located in different portions of the computer system, such as in the computer system memory or basic block of code is a sequence of code with a single entry point and single exit point. A single entry point with a single exit point implies a starting point and an end point of a sequence. The distinction argued by Applicant has not been established and the rejection with respect Burch (US 6,308,320) is maintained and repeated below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 are rejected under 35 U.S.C. 102(a) as being anticipated by Applicant's Admitted Prior Art (AAPA).

With respect to claims 1-2, Applicant's Admitted Prior Art teaches the invention as claimed, (see Fig. 1 and 2 and pages 1-2), a method for a dynamic memory management with an object oriented program, the method comprising the steps of: providing a memory block with a predetermined storage capacity; and allocating objects to the memory block in sequence continuity, the step of

providing a free reuse list to which an object released from the memory block is added as a reusable object corresponding to the released object (Fig. 1-2 and pages 1-2).

5. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,308,320 (Burch).

With respect to claims 1-2, Burch teaches the invention as claimed, a method for a dynamic memory management with an object oriented program, the method comprising the steps of: providing a memory block with a predetermined storage capacity; and allocating objects to the memory block in sequence continuity, the step of providing a free reuse list to which an object released from the memory block is added as a reusable object corresponding to the released object (Col. 10, Lines 15-60; Col. 12, Lines 29-61).

Allowable Subject Matter

6. Claims 3-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 5-14 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Michel Bataille whose telephone number is (571) 272-4178. The examiner can normally be reached on Mon-Fri (8:00A to 4:30P).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew M. Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2186

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Pierre-Michel Bataille
Primary Examiner
Art Unit 2186

September 1, 2006